

Court of Claims

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- Current service levels to be maintained
- Court moved to newly renovated Ohio Judicial Center in Spring 2004

OVERVIEW

Duties and Responsibilities

The Court of Claims, established in 1975, is the only statutory court with statewide jurisdiction. The Court consists of incumbent or retired justices or judges of the Supreme Court of Ohio, courts of appeals, and courts of common pleas, who sit by assignment of the Chief Justice of the Supreme Court. The appointments to the Court are temporary, usually about three months. Many of the judges, however, are reappointed for multiple terms. While a motion can be filed requesting that a panel of three judges hear a particular case, these cases must present unusual or complex issues of law or fact for the request to be granted. Few cases are eligible for a hearing before a panel of three judges. In addition to its judges, the Court also has seven commissioners who are appointed by the Chief Justice of the Supreme Court of Ohio. Commissioners are not required to have previous judicial experience, although they are required to be lawyers with three years of work experience.

The Court has the two major responsibilities: (1) hearing civil actions filed against the state and (2) hearing appeals from decisions made by the Attorney General on claims allowed under the Victims of Crime Act.

Agency in Brief

The following table selectively summarizes Court appropriations and staffing information.

Court of Claims In Brief					
Number of Employees*	Total Appropriations-All Funds		GRF Appropriations		Appropriation Bill(s)
	2006	2007	2006	2007	
44	\$4.18 million	\$4.26 million	\$2.60 million	\$2.68 million	Am. Sub. H.B. 66

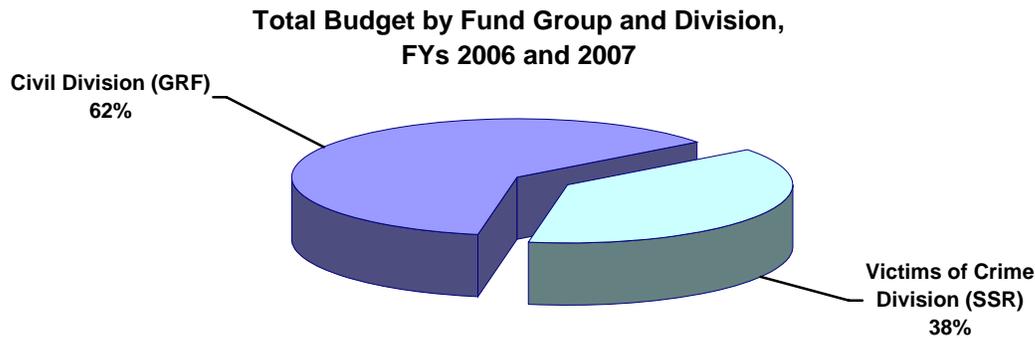
*Employee count obtained from the Department of Administrative Services (DAS) payroll reports as of June 2005.

Vetoed Provisions

The Court is not directly affected by any of the items contained in Am. Sub. H.B. 66 that were vetoed by the Governor.

Expense by Fund Group and Division Summary

The pie chart immediately below shows the Court's total enacted appropriations (FYs 2006 and 2007) by fund group and division. This information is shown for the GRF and for all funds.



The Court's budget structure can be summarized as follows:

- All of the Court's appropriated GRF funding is held in a single administration line item: 015-321, Operating Expenses. These funds are used to fund the Court's Civil Division.
- The Victims of Crime Fund (Fund 5K2) moneys used by the Court are appropriated to line item 015-603, CLA Victims of Crime. These funds are used to fund the Court's Victims of Crime Division.
- The budget of the Court also includes a GRF line item for which funds are never appropriated in the main operating appropriations act: line item 015-402, Wrongful Imprisonment Compensation. The line item's funds are transferred from the Controlling Board's budget on an as-needed basis to pay individuals who have been judged wrongfully imprisoned in the state of Ohio. When a wrongful imprisonment judgment has been journalized in a court of common pleas, the Controlling Board, upon certification by the Court of Claims, transfers the sum necessary to the line item.

Ohio Judicial Center

During FY 2004, the Court relocated their organization to the newly restored Ohio Judicial Center, formerly known as the Ohio Departments Building. The costs associated with the Court physically moving its operation and purchasing new office furniture and equipment were built into the FY 2004-2005 biennial budget. The Court does not currently pay rent to occupy space in the Ohio Judicial Center.

ANALYSIS OF THE ENACTED BUDGET

The Court of Claims is a single-program series agency with two major activities or programs, both of which are discussed in more detail below.

Program Series 1

Court of Claims

Purpose: To hear and determine all civil actions against the state of Ohio and its agencies and to administer appeals for the Ohio Victims of Crime Compensation Program.

The following table shows the line items that are used to fund the Court of Claims, as well as the enacted funding levels.

Fund	ALI	Title	FY 2006	FY 2007
General Revenue Fund				
GRF	015-321	Operating Expenses	\$2,598,040	\$2,678,331
General Revenue Fund Subtotal			\$2,598,040	\$2,678,331
State Special Revenue Fund				
SSR	015-603	CLA Victims of Crime	\$1,582,684	\$1,582,684
State Special Revenue Fund Subtotal			\$1,582,684	\$1,582,684
Total Funding: Court of Claims			\$4,180,724	\$4,261,015

This analysis focuses on the following specific programs within the Court of Claims program series:

- **Civil Division**
- **Victims of Crime Division**

Civil Division

Program Description: Under this program, the Court hears all civil actions filed against the state of Ohio and its agencies. On average, around 1,200 civil cases have been filed with the Court over the last seven years. It appears that most civil cases do not go to trial; the matters are either dismissed for various reasons, e.g., failure to state a cause of action, or settled out of court.

Funding Source: GRF

Implication of the Enacted Budget: When civil cases are filed against the state, the affected state agency and not the Court pays any judgment against the state; thus the Court's GRF funds go only to cover its annual operating expenses. The amount of GRF funding received by the Court should allow it to maintain current service levels, as well as hire one additional part-time employee for the Civil Division.

Victims of Crime Division

Program Description: Under this program, the Court hears appeals of decisions made by the Office of the Attorney General pursuant to the Victims of Crime Compensation Program, which permits individuals suffering personal injury as the result of criminal conduct to apply for certain forms of compensation. Prior to FY 2001, the Court's Victims of Crime Division handled all compensation claims, with the Attorney General investigating the claim and filing a finding of fact and recommendation with the Court. With the passage of Am. Sub. S.B. 153 of the 123rd General Assembly, primary

administrative responsibility for the program was shifted from the Court to the Attorney General, and the Court became responsible solely for hearing and determining appeals of determinations made by the Attorney General.

Funding Source: Cash transferred from the Office of the Attorney General's Victims of Crime Fund (Fund 402), also known as the Reparations Fund

Implication of the Enacted Budget: The Court essentially received continuation services funding, which means the amount of moneys that it calculated were necessary to perform the role of the appellate authority for the Victims of Crime Compensation Program. The amount should be sufficient to pay for the Court's annual costs associated with its appellate role, including payroll expenses of five full-time program staff.